

OFFICE OF CONGRESSIONAL AFFAIRS

Routing Slip

	ACTION	INFO
1. D/OCA		✓
2. DD/Legislation	✓	
3. DD/Senate Affairs		✓
4. Ch/Senate Affairs		
5. DD/House Affairs		✓
6. Ch/House Affairs		
7. Admin Officer		
8. Executive Officer		
9. FOIA Officer		
10. Constituent Inquiries Officer		
11.		
12.		

SUSPENSE

3 FEB 82

Date

Action Officer:

Remarks:

STAT

TF 1 FEB 82

Name/Date



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

SPECIAL

January 29, 1988

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer -

REA FILE

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National Security Council	17
Department of Justice (Perkins 633-2113)	06
Department of Defense (Brick 697-1305)	25
Department of State (Howdershell 647-4463)	28
Department of the Treasury (Carro 566-8523)	
Central Intelligence Agency	

SUBJECT: Draft Statement of Administration Policy on S. 1721,
Intelligence Oversight Act of 1987.

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than
12:00 NOON, WEDNESDAY, FEBRUARY 3, 1988.

Questions should be referred to **Sue Thau/Annette Rooney**
(395-7300), the legislative analyst in this office.

Ronald K. Peterson

RONALD K. PETERSON FOR
Assistant Director for
Legislative Reference

Enclosures

cc: A. B. Culvahouse, Jr.
R. Neely

SPECIAL



STATEMENT OF ADMINISTRATION POLICY

DRAFT

January 28, 1988
(Senate)

S. 1721 - Intelligence Oversight Act of 1987 (Sen. Cohen and seven others)

The President's senior advisors will recommend a veto of S. 1721 if it is presented to the President because it raises a number of serious constitutional issues.

Specifically S. 1721 would:

- unconstitutionally infringe on the foreign policy powers of the President by requiring him to report every "finding" approving a covert activity to the intelligence committees of the Congress within 48 hours of the signing of that finding; and
- seriously impinge on the President's ability to fulfill his constitutional duties in the field of foreign affairs by virtually eliminating the flexibility to determine the timing and substance of Congressional notification due to the disclosure requirements in sections 502 and 503.

In addition, the definition of "special activity" in S. 1721 is objectionable because:

- it treats as special activities subject to reporting requirements, all CIA activities that are not solely intended to collect intelligence and as such would include a far broader range of activities than are currently reported; and
- it is not limited to agencies involved in intelligence activities and may require findings and reports to Congress concerning activities that have not been considered covert actions in the past.

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